

# BAKER BOTTS LLP



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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/393,473
	Filing Date	Sept. 10, 1999
	First Named Inventor	WAYNE COHEN
	Group Art Unit	2837
	Examiner Name	Hsieh, S,
Total Number of Pages in This Submission	Attorney Docket Number	A32636-072708.0116

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ENCLOSURES <i>(check all that apply)</i>		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>
Remarks <input checked="" type="checkbox"/>		No fee is due with this Notice of Appeal, an Appeal fee was previously paid on August 8, 2001 with the first Notice of Appeal.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Baker Botts LLP 30 Rockefeller Plaza New York, NY 10112
Signature	<div style="display: inline-block; vertical-align: middle; margin-left: 20px;">             Att Name: James J. Maune              PTO Reg: 26,946           </div>
Date	April 3, 2002

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: <u>April 3, 2002</u>	
Typed or printed name	James J. Maune
Signature	
Date	April 3, 2002



**BAKER BOTTS** LLP

Attorney Docket Number:

A32636-072708.0116

Title: MARACA WITH FLEXIBLE HANDLE

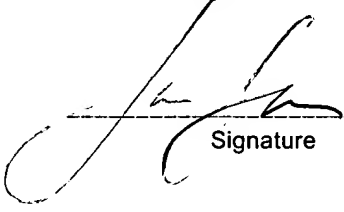
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AF/2837  
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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) A32636-072708.0116	
		In re Application of WAYNE COHEN	
		Application Number 09/393,473	Filed Sept. 10, 1999
		For MARACA WITH FLEXIBLE * see attached	
		Group Art Unit 2837	Examiner Hsieh, S.
<p>Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, <u>January 7, 2002</u>, rejecting the following claims: <u>13 and 14</u></p>			
<p>The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ _____</p>			
<p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____</p>			
<p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p>			
<p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p>			
<p><input type="checkbox"/> The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.</p>			
<p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>02-4377</u>. I have enclosed a duplicate copy of this sheet.</p>			
<p><input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.</p>			
<p><b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b></p>			
<p>I am the</p>			
<p><input type="checkbox"/> applicant/inventor.</p>			
<p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p>			
<p><input checked="" type="checkbox"/> attorney or agent of record. PTO Reg No. 26,946</p>			
<p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a): _____</p>			
		<p> Signature</p>	
		<p>James J. Maune Typed or printed name</p>	
		<p>April 3, 2002 Date</p>	
<p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p>			
<p><input type="checkbox"/> *Total of _____ forms are submitted.</p>			

**BAKER BOTTS** LLP

Attorney Docket Number:

A32636-072708.0116

Title:



MARACA WITH FLEXIBLE HANDLE

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